

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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CLOCKWORK IP, LLC, et al.,

Plaintiff,

v.

ALADDIN ONE HOUR HVAC, INC., a
Nevada corporation now known as
HONEST ABE'S AC REPAIR, INC.,

Defendant.

Case No. 2:12-cv-01532-MMD-PAL

ORDER ACCEPTING REPORT AND
RECOMMENDATION OF MAGISTRATE
JUDGE PEGGY A. LEEN

Before the Court is the Report and Recommendation of United States Magistrate Judge Peggy A. Leen (dkt. no. 37) ("R&R") relating to Plaintiffs' Motion for Entry of Default Judgment (dkt. no. 36). (Dkt. no. 37.) Defendant had until November 30, 2015 to object. (*Id.*) To date, no objection has been filed.

This Court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1). Where a party timely objects to a magistrate judge's report and recommendation, then the court is required to "make a *de novo* determination of those portions of the [report and recommendation] to which objection is made." 28 U.S.C. § 636(b)(1). Where a party fails to object, however, the court is not required to conduct "any review at all . . . of any issue that is not the subject of an objection." *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Indeed, the Ninth Circuit has recognized that a district court is not required to review a magistrate judge's report and recommendation where no objections have been filed. See

1 *United States v. Reyna-Tapia*, 328 F.3d 1114 (9th Cir. 2003) (disregarding the standard
2 of review employed by the district court when reviewing a report and recommendation to
3 which no objections were made); *see also Schmidt v. Johnstone*, 263 F. Supp. 2d 1219,
4 1226 (D. Ariz. 2003) (reading the Ninth Circuit's decision in *Reyna-Tapia* as adopting the
5 view that district courts are not required to review "any issue that is not the subject of an
6 objection."). Thus, if there is no objection to a magistrate judge's recommendation, then
7 the court may accept the recommendation without review. *See, e.g., Johnstone*, 263 F.
8 Supp. 2d at 1226 (accepting, without review, a magistrate judge's recommendation to
9 which no objection was filed).

10 Nevertheless, this Court finds it appropriate to engage in a *de novo* review to
11 determine whether to adopt Magistrate Judge Leen's R&R. Upon reviewing the R&R and
12 records in this case, this Court finds good cause to adopt the Magistrate Judge's R&R in
13 full.

14 It is therefore ordered, adjudged and decreed that the Report and
15 Recommendation of Magistrate Judge Peggy A. Leen (dkt. no. 37) is accepted and
16 adopted in its entirety.

17 It is further ordered that Plaintiffs' Motion for Entry of Default Judgment (dkt. no.
18 36) is granted and Plaintiffs are awarded a total of \$4,284.20. The Clerk is directed to
19 enter judgment in accordance with this Order and close the case.

20 DATED THIS 23rd day of December 2015.

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23 MIRANDA M. DU
24 UNITED STATES DISTRICT JUDGE
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